



December 23, 2014

City of Ankeny
Right-of-Way Permit Process

Metro Area Utility Companies:

Last March, you should have received a letter from the City of Ankeny informing your company of a proposed update to our right-of-way permitting process. As you may recall, Ankeny participated in the Right-of-Way Management Committee for the Capital Crossroads Collaboration. This committee formulated a standard permit form for working within city rights-of-way. This form should ultimately be utilized by many of the metro-area cities. This should simplify the issuing of permits to utility companies and contractors who work within city rights-of-way. It is our intent to utilize this new permit form starting on January 1, 2015.

Also in 2014, the Ankeny City Council reviewed and subsequently approved updated fee amounts for all city-issued permits. This included establishing a fee of \$40.00 for each right-of-way permit. This fee will be initiated with the new permit form on January 1, 2015.

Enclosed please find:

- A hard copy of the new permit form in pdf format. Unfortunately, this form is not yet available in a "fillable" format.
- Ankeny's "Requirements for Construction in Public Rights-of-Way".
- A copy of Chapter 151 of the Ankeny Municipal Code, which stipulates our permitting process and requirements. Please note that a bond is not necessarily required with each permit.

The new form and attachments will be available on Ankeny's web site (www.ankenyiowa.gov) at this time. As in the past, Dennis Neff will oversee all permits for work within our rights-of-way. If you have questions or concerns, please do not hesitate to contact Dennis or myself. Thank you.

Sincerely,
City of Ankeny


Paul Moritz, P.E.
Assistant City Manager

cc: David Jones, City Manager
Mark Mueller, Director of Public Works
Dennis Neff, Lead Engineering Technician



PERMIT APPLICATION REQUIREMENTS FOR MISCELLANEOUS (NON-PRIVATE UTILITY) WORK IN PUBLIC RIGHTS OF WAY OR OTHER ASSETS UNDER CITY OF ANKENY JURISDICTION

Whenever construction is necessary in the public rights of way or within other assets under City jurisdiction, you are required to obtain a permit from the City of Ankeny – Department of Public Works - Division of Engineering (*Code of Ordinances, Ankeny, Iowa Chapter 151*).

The process requires:

1. Submittal of a permit application and fee (\$40).
2. A location map
3. A simple sketch detailing the work for which the permit is being requested.

When submitted, the City will review the permit request as soon as possible. Please expect a minimum of 24 hours for us to review the application and issue the permit.

The permit packet will be returned to you containing:

1. The completed permit application with an assigned permit number, date of issuance and permit expiration date.
2. An attachment to the application outlining the general conditions of the permit.
3. Any pertinent details, maps, or drawings that are considered attachments to the permit.

The issued permit can be e-mailed to you, mailed or picked up from the Ankeny Public Services Building at 220 W 1st Street. Please indicate on your permit application how you wish to have your permit returned to you.

The construction or installation crew must have an original City signed (approved) plan, pertinent permit attachments and the approved permit application on site at all times during construction or installation operations. Failure to comply with this requirement will result in the construction being stopped until the appropriate paperwork is on site.

Submittals are to be sent to address below, attention: Dennis Neff. You may also submit your permit request via e-mail to: dneff@ankenyiowa.gov. However, the permit request cannot be processed until the \$40 permit fee is paid.

Rev 01/14/2015

REQUIREMENTS FOR PERMIT APPLICATION SUBMITTAL FOR PRIVATE UTILITY CONSTRUCTION IN PUBLIC RIGHTS OF WAY OR OTHER ASSETS UNDER CITY OF ANKENY JURISTITION

Whenever construction is necessary in the public rights of way or within other assets under City jurisdiction, you are required to obtain a permit from the City of Ankeny – Department of Public Works - Division of Engineering (*Code of Ordinances, Ankeny, Iowa Chapter 151*).

The process requires the submittal of a permit application and fee (\$40), a permit plan and cover letter to describe the project. The permit plan submitted must include the following information.

1. If submitting hard copies and expecting hard copies in return, at least 2 sets of plans must be submitted. One (or more) set(s) of approved plans to be returned to the submitter and one set to be kept by the City. Electronic submittals are acceptable and preferred.
2. The plan must be to a standard scale and must be at a scale that can show sufficient detail for the City of Ankeny to review the plan.
3. The location of the proposed facility or utility must be shown. Appropriate dimensions must be shown to existing features, such as back of curb, street centerline, sidewalk and other landmarks. Also show type and size of pipe, conduit or cable that is being proposed for installation.
4. Property lines, right of way lines, lot lines, and easements must be shown on the plan.
5. The depth of the proposed facility and method of installation must be shown on the plan.
6. The approximate locations of existing underground utilities, including City owned and other utility owned facilities – must be shown on the plan.
7. Construction notes describing specific work items are necessary. Often times, symbols are not adequate to describe the work. If using symbols, a legend of symbols is required.
8. Size and location of any proposed surface or above ground structure is required.
9. Show the location of any existing physical surface features that may affect or conflict with the proposed construction or the location of your utility e.g. power poles, trees, retaining walls, etc.

When submitted, the City will review the plan as soon as possible, usually within one week. If there are no comments or conflicts, the plan will be stamped, dated and signed and a cover letter and the conditions of permit approval will be issued to the submitter along with the approved permit application. If revisions are needed, the submitter will be notified by phone, e-mail or mail. When the plan has been revised and resubmitted, it will again be reviewed for approval.

The construction or installation crew must have the issued permit packet containing a City signed (approved) plan, pertinent permit attachments and the approved permit application on site at all times during construction or installation operations. Failure to comply with this requirement will result in the construction being stopped until the appropriate paperwork is on site.

Submittals are to be sent to address below, attention: Dennis Neff. You may also submit your proposal via e-mail to: dneff@ankenyiowa.gov

Rev 01/14/2015

Metro Area Right Of Way Application for Work

City: _____

Date of Application: _____

APPLICANT INFORMATION

Applicant Name: _____

Applicant Phone: _____

Applicant FAX: _____

Applicant Address: _____

Applicant Email: _____

FACILITY OWNER INFORMATION ☐ Check if same as applicant

Facility Owner Name: _____

Facility Owner Phone: _____

Facility Owner Address: _____

Facility Owner Email: _____

CONTRACTOR INFORMATION

Contractor (Person performing the work): _____

License Number: _____

Contractor Address: _____

Contractor Phone: _____

Contractor Email: _____

Person in Charge of Job (name): _____

24 hr Phone #: _____

Does the contractor have a bond on file with the city? ☐ Yes ☐ No If no please attach copy

PROJECT INFORMATION

WORK ORDER # _____

Construction Type: ☐ Sewer ☐ Pavement ☐ Gas ☐ Water ☐ Telecommunications ☐ Electric

☐ Trees ☐ Sidewalks ☐ Driveway Approach ☐ Other _____

Description of work to be performed: _____

Start Date: _____

Approximate Completion Date: _____

REQUIRED ATTACHMENTS

- ☐ Bond (if not on file with city)
- ☐ Construction Documents i.e. drawings, traffic control, GIS Plans, etc
- ☐ Please check the city code for comprehensive list of required attachments
- ☐ Payment – see <http://www.capitalcrossroadsvision.com/row/>

INDEMNIFICATION: Please read the following city code for indemnification requirements-<http://www.capitalcrossroadsvision.com/row/>

☐ I have read, agreed and completed the indemnification requirements.

24 HR Notification required before starting work-please call permitting jurisdiction-see <http://www.capitalcrossroadsvision.com/row/>

Contractor Signature: _____

Date: _____

Facility Owner Signature: _____

Date: _____

CITY USE ONLY:

Date submitted: _____

Permit # (if applicable) _____

Approval Granted By: _____

Remarks: _____

Received By: _____

Form of Payment ☐ Cash ☐ Check ☐ CC

Permit Valid Until _____



CHAPTER 151

EXCAVATIONS

151.01 Excavations Permitted on Private Property; Restoration Required	151.05 Restoration of Unpaved Streets
151.02 Requirements for Excavations on Public Property	151.06 Utility Connections; Inspection Requirement
151.03 Right-of-Way Permit - Requirements and Fee	151.07 Safeguards
151.04 Restoration of Paved Streets	151.08 Refusal to Issue Permit

151.01 EXCAVATIONS PERMITTED ON PRIVATE PROPERTY; RESTORATION REQUIRED.

1. All trenches, holes or excavations on private property reasonably necessary for the construction of basements, cellars, buildings, appurtenances, or improvements thereto, or if made for the purpose of installing gas, water or underground utilities, shall be permitted; provided, said trenches, holes or excavations shall be refilled, re-graded or otherwise covered within thirty (30) days after the date of their excavation.
2. The provisions of subsection 1 shall not be deemed to apply to any excavation made for the purpose of constructing a basement, cellar or footing if construction of said basement, cellar, or footing has commenced within said 30-day period.
3. The time provided in subsection 1 may be extended, in writing, for additional periods of thirty days only upon a showing by the titleholder or any duly authorized agent that, due to weather conditions or other factors over which the applicant has no control, compliance with subsection 1 would create unreasonable hardship.
4. If the Council finds, for good cause shown, good reason exists for allowing an excavation to remain open in contravention of this section, the Council may, by resolution, require that the property owner erect a fence or other appropriate safeguards around the excavation until such time as the construction is complete or the excavation refilled.

151.02 REQUIREMENTS FOR EXCAVATIONS ON PUBLIC PROPERTY. No person shall enter the public right-of-way to excavate, bore, tunnel, or otherwise construct within the said right-of-way, break up any street, alley or other public place of the City, or cut into or remove any public sidewalk, curb, crossing or pavement for the purpose of making any gas, water, sewer, or underground utility connections; or for the setting of poles, or laying of mains, pipes or conduits, without first obtaining a right-of-way permit from the Public Works Director or authorized agent.

151.03 RIGHT-OF-WAY PERMIT - REQUIREMENTS AND FEE.

1. A right-of-way permit application shall be obtained and submitted to the Public Works Director or authorized agent which conveys the extent and purpose of the contemplated work; the time when same is proposed to be done, for whom and in connection with what property; in what street, alley or public ground the excavation is to be made and its location thereon; to what street main the connection is to be made; and the name of the person engaged in doing the work and the person in charge thereof.

2. Permit Form. A permit application form is available from the Public Works Director. Said form, when completed, will include the above required information.
3. Insurance Requirements. Right-of-way permit applications shall be accompanied by an insurance certificate unless the applicant already has an insurance certificate on file with the Public Works Department that is still in effect. The insurance certificate shall meet the limits, requirements, indemnifications and coverage according to the Statewide Urban Design and Standard Specifications (SUDAS), Section 1070 – Part 3.02 Insurance Requirements.
4. Indemnification. All applications for a right-of-way permit shall contain a stipulation that the applicant shall indemnify and hold harmless the city from any and all costs, expenses or liability for damages or injuries to persons or property or liability of any kind whatsoever arising from any work by the applicant for which the permit is issued.
5. Bond. If the Public Works Director determines in his or her sole discretion that a right-of-way permit applicant's proposed use of the right-of-way poses a risk of damage to the right of-way, the Director may require such applicant to post a surety bond before the permit is issued. Such bond, if required, shall be in the minimum amount of \$5,000.00 or such other amount determined by the Public Works Director to be sufficient to cover the anticipated cost of damage to the right-of-way; and shall be conditioned to ensure that the right-of-way is restored in a timely manner and before the specified approximate completion date.
6. Fee. Each permit application shall be accompanied with a fee of \$40.00 per individual application to cover the costs incurred by the City in managing the rights-of-way.

151.04 RESTORATION OF PAVED STREETS. The work of refilling any opening, trench or excavation in any paved street or alley, replacing the pavement and restoring the same to proper condition, and refilling any opening or excavation in any unpaved street, shall be done under the direction of the Public Works Director and in accordance with the approved city construction specifications.

1. Open excavations that restrict the movement of traffic on City streets must be backfilled, restored and reopened to traffic before the end of the work day, unless approved otherwise by the Public Works Director or authorized agent.

151.05 RESTORATION OF UNPAVED STREETS. Whenever any opening, trench or excavation is made in an unpaved street not ordered by the Council to be paved, the person making such opening, trench or excavation shall refill the same with earth, thoroughly settled by tamping, under the direction of the Public Works Director in accordance with the approved city construction specifications.

151.06 UTILITY CONNECTIONS; INSPECTION REQUIREMENT. All public utility connections shall be left exposed and the excavation for the same unfilled until inspected by the Public Works Director. It shall be the duty of any person making any excavation for such connections to notify the Public Works Director at the time such connection is completed and the excavation is ready to be refilled, in order that the same may be properly inspected.

151.07 SAFEGUARDS. All excavations or trenches in streets, alleys or on public grounds of the City shall be guarded by proper traffic control devices according to the current *Manual on Uniform Traffic Control Devices* as prescribed by the Public Works Director. Every person

making an excavation shall maintain the traffic control devices required by this section until the work zone is considered suitable for re-opening to traffic according to the Public Works Director.

151.08 REFUSAL TO ISSUE PERMIT. The Public Works Director may refuse to issue the permits provided for in this chapter to any former permit holder who has intentionally violated the sections of this Code relating to working within the right-of-way or who has failed to conform to the requirements of any previously issued permit.

(Sections 151.02 – 151.08 - Ord. 1802 – Apr. 14 Supp.)